



Synthesis Document for

Development of Revised Goals and Objectives for Summer Flounder Management

December 2015

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1 Introduction and context

1.1. Introduction

1.1.1 Goals and objectives project overview

The Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) are developing a comprehensive amendment to revisit important elements of the summer flounder fishery management plan (FMP). As part of this process, the Council and the Commission's Summer Flounder, Scup, and Black Sea Bass Board (Board) will revisit the original FMP objectives and develop a revised set of goals and objectives for summer flounder management.

The Council contracted with the Fisheries Leadership & Sustainability Forum (Fisheries Forum) to support this work. Between August and November 2015, Fisheries Forum staff solicited feedback from members of the Council's Demersal Committee, the Board, and members of both bodies' Advisory Panels on the structure, content, and use of FMP goals and objectives. (See Appendix 1 for a list of contributors.) Fisheries Forum staff also reviewed feedback on goals and objectives obtained from the 2014 comprehensive amendment scoping process, and stakeholder perspectives on summer flounder management from the Council's 2012 Visioning and Strategic Planning Project Stakeholder Input Report.

The Fisheries Forum distilled this feedback into a synthesis of ideas, perspectives, and themes of discussion. The Council's Fishery Management Action Team (FMAT) reviewed this synthesis, and provided recommendations for revised FMP goals and objectives. The following document includes the Fisheries Forum's synthesis of feedback, integrated with the FMAT's recommendations.

The Council and Board will hold a half-day workshop in December 2015 to review the FMAT's recommendations and work toward revised goals and objectives for consideration as part of the comprehensive amendment. This document is meant to help frame and focus the Council and Board's discussion of revised goals and objectives, and is not intended to be comprehensive of all ideas and perspectives.

1.1.2 Original FMP objectives

Amendment 2 to the Summer Flounder FMP (1993) adopts six management objectives.

1. Reduce fishing mortality in the summer flounder fishery to assure that overfishing does not occur.
2. Reduce fishing mortality on immature summer flounder to increase spawning stock biomass.
3. Improve the yield from the fishery.

4. Promote compatible management regulations between State and Federal jurisdictions.
5. Promote uniform and effective enforcement of regulations.
6. Minimize regulations to achieve the management objectives stated above.

1.1.3 Terms: Goals, objectives, and strategies

As part of the Council and Board's discussion of revised goals and objectives, it will be important to consider the appropriate terminology.

- Goals are broad, big picture, and aspirational. They can help communicate high-level values and priorities for summer flounder management.
- Objectives are more specific and actionable. They can help describe important steps toward accomplishing goals.
- Strategies refer to specific processes, decision points, and actions the Council and Board may take to achieve objectives and support goals.

Goals and objectives are appropriate for the Council and Board's discussion. Strategies will be discussed in the context of issue-specific actions and alternatives within the comprehensive amendment. Appendix 2 includes additional examples to help demonstrate the difference between goals, objectives, and strategies.

The six current FMP objectives are described as objectives and not goals. Other Council FMPs include a combination of goals and objectives. Appendix 3 includes goals and objectives from all Mid-Atlantic FMPs. The Council and Board can choose to approve goals as well as specific objectives for further consideration. The FMAT's recommendations are structured as broad goal statements with some specific objectives included.

1.1.4 Additional context: MAFMC Strategic Plan

The development of revised goals and objectives for summer flounder management also supports, and is supported by, the Council and Commission's respective Strategic Plans. The Council's 2014-2018 Strategic Plan identifies reviewing and updating FMP goals and objectives as a priority:

Management Goal: Develop fishery management strategies that provide for productive, sustainable fisheries.

Objective 11: Evaluate the Council's fishery management plans

Strategy 11.2: Review and update FMP objectives as appropriate to ensure that they remain specific, relevant, and measurable.

1.2 Perspectives on goals and objectives

Among the Committee and Board members who participated in interviews,¹ there are different perspectives on the purpose and use of goals and objectives, and the priorities and values that should be captured in revised FMP goals and objectives for summer flounder management. **This section (Section 1.2) summarizes the views these managers shared on FMP goals and objectives during the interview process.**

1.2.1 Use of goals and objectives

Managers use goals and objectives in different ways. Some refer to them rarely or never, while others review them periodically or frequently. Managers are most likely to review goals and objectives when they are initiating a new action or making a major decision. On a day-to-day basis, they are more focused on specific strategies, decisions, and outcomes. Goals and objectives should provide meaningful guidance, but should also be a flexible tool rather than a rigid constraint. If actions are not in alignment with goals and objectives, all of these should be re-examined.

There are several important considerations for developing and using goals and objectives.

Vantage point: Goals and objectives can serve as guideposts for management actions along different time scales and vantage points.

- Past: Goals and objectives can be used retrospectively to acknowledge positive trends and directions in past decision-making.
- Present: Goals and objectives can provide a check to ensure that management actions are in alignment with intentions and the “bigger picture”, and establish a clear rationale for management strategies and actions.
- Future: Goals and objectives can shape the future direction of a fishery.

Audience: The audience for goals and objectives includes managers and stakeholders, including the general public. Goals and objectives are primarily a tool for managers, although they should be framed with stakeholder input. Both managers and stakeholders are more focused on the outcomes and strategies resulting from goals and objectives.

Time horizon: The time horizon for goals and objectives can vary. They should be enduring enough to provide long-term guidance that aligns with the timelines for management and decision-making, but flexible enough to respond to change. Goals

¹ In this section the term “managers” refers collectively to the Committee and Board members who contributed to this project.

are broader and longer-term or even “timeless”, while objectives may need to be examined more frequently to reflect new information and developments.

Focus: The level of focus for goals and objectives can also vary. Goals are generally broad, overarching statements that can help communicate the Council and Commission’s values and priorities for summer flounder management. Goals can also cross-reference and reinforce other guidance (Magnuson-Steven Act (MSA), National Standards, Council and Commission strategic plans). Objectives are more specific and action oriented.

Some managers observed that it would be helpful to revisit goals and objectives on a more consistent basis. For example, staff could provide an annual presentation on FMP goals and objectives. Another opportunity would be to revisit goals and objectives when a new action is initiated.

1.2.2 Relevance of current FMP objectives

Managers have different perspectives on the relevance of the current summer flounder FMP objectives, adopted in 1993. Some felt that they are still relevant, and continue to represent important priorities and values. Many felt that they are outdated, “stale,” and could be revised to provide more meaningful guidance. The current objectives were adopted when the summer flounder fishery was overfished, with overfishing occurring. While these objectives were useful and appropriate at the time, the fishery’s shift from rebuilding to “maintenance” mode should be reflected in revised goals and objectives.

1.2.3 Context for developing revised goals and objectives

Managers hold different views on the appropriate content and structure for revised FMP goals and objectives. These views may be influenced by several factors.

First, the summer flounder fishery and the management process have evolved substantially since the original objectives were adopted in 1993. These changes include:

- Changes to the resource: stock status, availability, distribution, abundance, size/age structure
- Changes to the management framework: reauthorizations to the Magnuson-Stevens Act, emphasis on accountability and sustainability, requirements to set annual catch limits and accountability measures
- Changes to management approaches: adoption of state commercial and recreational quotas, federal and state level management measures
- Changes to science and data collection: advances in stock assessment science, growing consideration of ecosystem interactions and climate change effects, evolving data collection and monitoring approaches and capabilities
- Changes to the fishery: distribution of fishing effort, participation, development of infrastructure, costs

Second, Council and Board members are individuals with different backgrounds, values, and preferences. There are three major factors that appear to shape perspectives and priorities for the development of revised goals and objectives.

- Institutional history: Long-term managers are more likely to consider the historical trajectory of summer flounder management, beginning with the development of the fishery, the rebuilding of the resource, and the evolution of the current fishery. Newer participants are more familiar with the fishery as it exists today.
- State perspective: Different states—even states adjacent to one another—may have very different priorities for summer flounder management. State-level differences include allocation, the level of participation by different user groups (commercial, recreational, for-hire), and geography (ocean vs. estuarine fishery).
- Individual background: All managers are responsible for balancing the needs of different stakeholders and user groups. However, appointed decision-makers may identify with a particular stakeholder group.

1.2.4 Conclusions

The development of revised FMP goals and objectives for summer flounder management will be a joint effort of the Council and Board. Among members of these two bodies there may be diverging views on the use of goals and objectives, the relevance of the current objectives, and the priorities and values that should be reflected and communicated through new goals and objectives. The purpose of the December 2015 workshop is not to seek consensus, but to agree on revised goals and objectives that can accommodate these different views while providing meaningful guidance and support to the Council and Commission and their member states.

2 Development of revised FMP goals and objectives

2.1 Workshop discussion guide

2.1.1 Summary of FMAT recommendations

The input provided during this project generally fell into four categories: 1) ensuring biological sustainability, 2) maintaining effective coordination between the Council and Commission, 3) providing reasonable access to the fishery, and 4) considering stakeholder needs and priorities. The FMAT's recommendations are structured accordingly.

The FMAT recommends the following goals and objectives for the Council and Board's consideration. This is a summary. More detailed recommendations and discussion are provided in section 2.2.

Draft Revised Summer Flounder FMP Goals and Objectives

Goal 1. Ensure the biological sustainability of the summer flounder resource in order to maintain a sustainable summer flounder fishery.

Objective 1.1: Achieve and maintain a sustainable spawning stock biomass.

Objective 1.2: Achieve and maintain a sustainable rate of fishing mortality.

Goal 2. Maintain effective coordination between the Council, Commission, and member states to support the development and implementation of management measures.

Objective 2.1. Promote compliance and the effective enforcement of regulations.

Objective 2.2. Promote science, monitoring, and data collection that support and enhance effective management of the summer flounder resource.

Goal 3. Provide reasonable access to the fishery throughout the management unit.

Goal 4. Balance the needs and priorities of different user groups, and optimize utilization of the summer flounder resource.

2.1.2 Workshop approach

The Council and Board will discuss revised goals and objectives for summer flounder management during a workshop to be held as part of the Council and Board's joint meeting, December 8, 2015 from 1:30 – 5:30 pm. This discussion will include the following components. The timing and order of discussion items may change.

Context and setting the stage

- Opening remarks and context
- Overview: Goals and objectives project
- Presentation and discussion: Perspectives on the use of goals and objectives

Council and Board discussion

- Overview of FMAT recommendations
- Discussion of FMAT recommendations by goal
 - Biological sustainability
 - Effective Council and Commission coordination
 - Reasonable access
 - Stakeholder values
 - Other issues
- Wrap-up discussion

2.1.3 Discussion and possible outcomes

The purpose of the Council and Board's discussion is to approve revised goals and objectives for further consideration as part of the summer flounder comprehensive amendment. The Council and Board will discuss each of the four goal categories in depth, and also consider how they perform as a complete set of goals and objectives.

For each goal category, the Council and Board may choose to respond to the FMAT's recommendations in a number of ways. These include, but are not limited to:

- Adopt the FMAT's recommended goal statement (and objectives, if applicable)
- Adjust the wording or focus
- Add or remove specific objectives
- Identify goals and/or objectives that may need to be revisited and clarified later in the amendment process
- Request further clarification, guidance, or analysis by the FMAT
- Identify additional issues that should be addressed in FMP goals and objectives.

2.1.4 Discussion questions

The following questions may help the Council and Board review the FMAT's recommendations and determine what actions are most appropriate to take at this time.

- Longevity and time horizon: Do these goals and objectives provide meaningful short-term and long-term guidance, under a range of possible scenarios?
- Achievability: Are these goals and objectives achievable and actionable? It is possible to assess whether they are being achieved?
- Governance, roles and responsibilities: Do these goals and objectives provide meaningful guidance to each of the management partners involved in supporting, developing, implementing, and enforcing summer flounder management measures (Council, Commission, States, NOAA Fisheries, others)?
- Wording: Is the wording of each goal and objective appropriate and consistent with the Council and Board's intent? What are the key "action" words in each goal/objective (e.g. support, promote, maintain), and how could they be interpreted?
- Inclusiveness and coverage: Do these goals and objectives encompass the full range of values and priorities for summer flounder management? Should the Council and Board consider other goals and/or objectives?
- Interactions among goals and objectives: Do these goals and objectives complement one another? Are any of them in conflict with one another? Where may the Council and Board need to find a balance, or make tradeoffs between different goals and objectives?
- Amendment timeline: Are there any goals and/or objectives that the Council and Board may want to revisit later in the comprehensive amendment process? Which goals and/or objectives are most likely to intersect with other decision points and specific management strategies considered as part of the amendment process?

2.2 Issue overviews and FMAT recommendations

This section (2.2) provides a roadmap for the Council and Board's discussion of revised goals and objectives. For each category of goals and objectives, the following information is provided.

- Issue overview: A summary of ideas and perspectives provided by Council, Board, and other stakeholders as part of this project. These summaries incorporate feedback on the relevance of current FMP objectives, and new suggestions for the content of revised goals and objectives.
- FMAT recommendation: The FMAT's recommendation for how each category of issues could be addressed through revised FMP goals and objectives. This includes the recommended wording for new goals (and in some cases objectives), as well as recommendations for further discussion.
- FMAT discussion: Additional explanation for the FMAT's recommendation.

2.2.1 Goal 1: Biological sustainability

Issue overview

All user groups benefit from a healthy summer flounder resource. Maintaining a productive and sustainable summer flounder fishery is the starting point for all other management decisions. The goal of sustainability is implicit through the Magnuson-Steven Act and the National Standards, and sustainability should also be an explicit goal of the summer flounder FMP.

The first three existing objectives (Objectives 1, 2, and 3) are actionable objectives for sustainability:

1. *Reduce fishing mortality in the summer flounder fishery to assure that overfishing does not occur.*
2. *Reduce fishing mortality on immature summer flounder to increase spawning stock biomass.*
3. *Improve the yield from the fishery.*

These objectives are generally seen as outdated. When they were adopted in 1993 the summer flounder resource was overfished with overfishing occurring, and a truncated size/age structure. These three objectives were intended as specific, actionable steps to rebuild the summer flounder resource. This approach is reflected in the verbs used (reduce, improve). Specific management measures adopted to address these objectives included the adoption of minimum size limits and a commercial minimum mesh size. The 2007 reauthorization of the MSA established a process to govern the achievement of biological objectives, providing another reason why these original objectives are viewed as outdated.

While the context for these original objectives has changed, they are still relevant to ongoing concerns in the summer flounder fishery. Objective 1 is applicable, because the 2015 assessment update indicates that overfishing is occurring. Objectives 2 and 3 are relevant to concerns about regulatory discards, discard mortality, and waste in the recreational and commercial fisheries, and the targeting of mature females that results from minimum size limits in the recreational fishery.

Finally, the rebuilding of the summer flounder stock is viewed as a success story. The 2015 assessment update and finding of overfishing will need to be addressed, but this is viewed as a bump in the road rather than a situation that should influence the focus of revised goals and objectives. Stakeholders, in particular, are eager to see this success acknowledged, and for the Council and Commission to follow through on the expectations for increased opportunity associated with a rebuilt stock.

FMAT Recommendation

Goal 1: Ensure the biological sustainability of the summer flounder resource in order to maintain a sustainable summer flounder fishery.

Objective 1.1: Achieve and maintain a sustainable spawning stock biomass.

Objective 1.2: Achieve and maintain a sustainable rate of fishing mortality.

FMAT Discussion

The FMAT's recommendation combines and updates the existing three FMP objectives for biological sustainability into a goal statement with two specific objectives. Fishing mortality and spawning stock biomass are the two primary considerations for achieving biological sustainability, therefore, it would be useful and appropriate to recognize these two concepts in the form of FMP objectives.

Current FMP objectives 1 and 2 focus on **reducing** fishing mortality to achieve a sustainable biomass and rate of fishing mortality. Revising these objectives to include the word "maintain" is appropriate for providing long-term guidance for a rebuilt stock, while also providing guidance to address the recent determination of overfishing.

The FMAT's recommendation does not include a specific reference to yield, addressed by current FMP objective 3. There are multiple dimensions to yield. The biological basis for yield is an outcome of maintaining a sustainable mortality rate and spawning stock biomass, and is addressed by Objectives 1.1 and 1.2. Yield is also an outcome of management decisions. For example, yield could refer to economic yield, or the proportions of total harvest attributed to landings and discards. The management basis for yield could be considered as an objective for achieving other FMP goals, or through specific strategies later in the amendment process.

The FMAT’s recommendation also does not include a specific reference to discards. The impact of discards on biological sustainability is a component of fishing mortality, which is addressed by Objective 1.2. The Council and Board could choose to address discards in the form of additional objectives or through specific management strategies.

2.2.2 Goal 2: Effective Council and Commission coordination

Summer flounder is jointly managed by the Council and Commission. Successful management requires effective coordination and communication between the two management bodies. Current FMP objectives 4, 5, and 6 (see below) address the attributes of an effective joint management process. Council and Board members also identified other concerns that could be addressed under goals and/or objectives for effective coordination.

There are five distinct issues for the Council and Board to consider within the category of effective Council and Commission coordination. Below is the FMAT’s recommendation for how these five issues may be addressed as a group. Sections 2.2.2.1 through 2.2.2.5 include an overview and the FMAT’s discussion of each individual issue.

FMAT Recommendation

The FMAT recommends adopting a broad goal statement regarding effective coordination among the Council, Commission, and member states; and specific objectives related to enforcement and science, data collection, and monitoring, as follows. The FMAT also recommends additional discussion of each of the five issues.

Goal 2: Promote and maintain effective coordination between the Council, Commission, and member states to support the development and implementation of management measures.

Objective 2.1: Promote compliance and the effective enforcement of regulations.

Objective 2.2: Promote science, monitoring, and data collection that support and enhance effective management of the summer flounder resource.

2.2.2.1 State-Federal Compatibility

References current FMP objective 4: Promote compatible regulations between state and Federal jurisdictions.

Issue overview

Council and Board members recognize that compatibility is important to a successful joint management process. Perspectives vary on whether State-Federal compatibility has already been achieved, an objective that managers should continually aspire to, or an objective that has not been fulfilled. However, the term “compatibility” is not defined. Most agree that compatibility should not mean that regulations are consistent from state to state. Managers value the flexibility for each state to respond and accommodate the needs of their stakeholders. Compatibility could be interpreted as effective coordination between the two bodies to achieve shared management goals and objectives.

FMAT Discussion

The FMAT’s recommendation reframes current FMP Objective 4 as a broader goal statement that recognizes the importance of effective coordination between the Council, Commission, and member states. The term “compatibility” in current FMP Objective 4 is unclear. It does not necessarily mean that regulations are the same across states, regions, or jurisdictions. In practice, compatibility means that management bodies and implementing regulations are supporting shared goals and objectives, and avoid conflicting or working against one another. The concept of compatibility is better described as effective coordination. The inclusion of states is important because management plans adopted by the Commission are implemented through state regulations by member states.

2.2.2.2 Enforcement

References current FMP Objective 5: Promote uniform and effective enforcement of regulations.

Issue overview

Effective enforcement is critical to the successful implementation of the summer flounder FMP. As with current FMP Objective 4 (regarding State-Federal compatibility), Council and Board members have different perspectives on whether this objective has already been achieved, is an ongoing aspiration, or an objective that has not been fulfilled.

The Council and Commission do not carry out enforcement activities. Neither body has immediate authority to ensure uniform and effective enforcement, although these duties are carried out in part by the member states of both management bodies. In addition, each state has different enforcement resources and policies.

FMAT discussion

The FMAT’s recommendation includes an objective for enforcement and compliance. Compliance and the enforcement of regulations are critical to the success of a management plan. The Council and Commission can promote compliance and enforcement. As decision-making bodies they do not conduct enforcement activities, so this objective should be structured in an actionable way. By addressing compliance and

enforcement as an FMP objective, the Council and Commission could provide guidance and communicate their priorities to federal and state partners with enforcement authority. The Council and Board can also take specific steps to promote compliance, for example, by considering the enforceability of regulations.

The FMAT also recommends further discussion, to consider whether enforcement is most effectively addressed as an FMP objective or through other means, including the Commission's strategic plan (Appendix 4).

2.2.2.3 Minimizing regulations

References current FMP Objective 6: Minimize regulations to achieve the objectives stated above.

Issue overview

The current framework for summer flounder management is designed to meet shared objectives while accommodating different state and regional priorities. Council and Board members agree that the summer flounder FMP does not in fact minimize regulations. There are different perspectives on whether minimizing regulations is a realistic or appropriate objective for this fishery. Some feel that this objective is still one that managers should aspire to; others feel it is incompatible with the management approaches that the Council and Board have developed to provide greater flexibility at state and regional levels.

FMAT discussion

The FMAT's recommendation does not include a reference to minimizing regulations. There is clear tension between current objective 6, and the approaches the Council and Commission have adopted (and/or are considering) to provide flexibility and address other concerns and priorities. Maintaining a specific objective to minimize regulations, or achieve flexibility while minimizing regulations, would be a policy decision. The Council and Board could also consider replacing the word "minimize" with other words focusing on the clarity and simplicity of regulations to achieve desired outcomes. The FMAT recommends additional discussion of this issue.

2.2.2.4 Science, monitoring, and data collection

Issue overview

Improving the science behind summer flounder management is a high priority. This includes improving the stock assessment model, investing in the necessary data collection, and ensuring alignment among management partners (Council, Commission, states, and NOAA Fisheries.) The effective monitoring of commercial and recreational quotas is critical to successful management, and instilling confidence in management decisions. Specific concerns include recreational and for-hire accountability, and the appropriate use of Marine Recreational Information Program (MRIP) data for

monitoring recreational quotas. Some of these responsibilities are carried out at the federal level, while others are responsibilities of the individual states.

FMAT Discussion

The FMAT's recommendation includes a broadly worded objective for science, monitoring, and data collection. The best available science and effective monitoring and data collection are critical to the success of the summer flounder FMP. The Council and Commission are data users, and not typically directly engaged in science and data collection activities. The states do have important monitoring and data collection responsibilities, and contribute to the best available science, through the activities of their state natural resource agencies. As with the issue of enforcement above, it would be important to structure this objective in an actionable way.

By addressing science, monitoring, and data collection in the form of FMP objective, the Council and Commission could emphasize the importance of these management needs to the state and federal management partners who conduct and support these activities. An FMP objective could also support the Council and Commission's development and communication of research priorities. The FMAT also recommends additional discussion to consider whether these needs are more effectively addressed through other means, including the Council and Commission's strategic plans.

2.2.2.5 Council and Commission interactions

Issue overview

Effective joint management means that the Council and Commission and their members are invested in the joint management process, and feel that their states' interests are represented. Some important decisions and processes (i.e., setting catch level recommendations, responding to new information) are governed by the requirements of the MSA and Federal management process. The MSA establishes high standards for accountability and sustainability, but constrains flexibility, in contrast to other fisheries that are managed through the interstate Commission management process. Some managers are concerned that the states participating in the summer flounder fishery are not equally represented at the Federal level.

FMAT Discussion

The FMAT's recommendation does not include a reference to Council and Commission interactions. The concerns related to Council and Commission interactions are partially captured in Goal 2 of maintaining effective coordination. Other specific concerns would be considered at the legislative level and are not appropriate for FMP goals and objectives. The FMAT recommends additional discussion of this issue.

2.2.3 Goal 3: Reasonable access

Issue Overview

Access to the summer flounder resource is shared by multiple user groups and states. As part of the comprehensive amendment, managers and stakeholders are interested to revisit why and how access to the fishery is distributed among sectors and states, and how these decisions should respond to changes in the fishery. Commonly used terms and phrases related to this goal include flexibility, responsiveness, resilience, stability, fairness, equity, access, opportunity, and benefits to all stakeholders.

The current state-by-state allocations of commercial and recreational quota represent a snapshot in time. Many Council and Board members feel that allocations are no longer aligned with the availability and distribution of the summer flounder resource. These changes are attributed to climate change, the rebuilding of the fishery and size/age structure, or both. In addition, quota allocations reflect the way the fishery was managed at an earlier point in time. Some Council and Board members feel that allocations were neither fair nor equitable from the outset. Factors that influenced the allocation of summer flounder quota include stock status, participation, each state's regulations (e.g., the use of minimum size limits), and each state's data collection, monitoring, and enforcement capabilities.

There are several reasons why management might adapt and respond to these changes. The National Standards provide guidance on allocation decisions and variations in fishery resources. Responsiveness is also important for establishing credibility among stakeholders, and ensuring fair and equitable access to the resource.

However, flexibility and responsiveness to changing conditions can be disruptive, and the drivers of change are acknowledged but not fully understood. The commercial and recreational fisheries in each state, including participants as well as infrastructure and businesses, have evolved to operate within the existing allocation framework. Responsiveness can be balanced with regard for social and economic impacts, and the need for stability and resilience within the fishery.

Finally, Council and Board members generally support the overarching values of fairness and equity but do not want to be more specific about how fairness and equity should be achieved. The specifics of "how" would be getting into more specific strategies and actions that will be considered as part of the comprehensive amendment.

FMAT Recommendation

Goal 3: Provide reasonable access to the fishery throughout the management unit

FMAT Discussion

The FMAT’s recommendation is a very high-level goal statement that is inclusive of the different values that were identified for access (e.g., fairness, equity, opportunity, etc.), and does not provide specific guidance regarding how these values should be supported. These terms may suggest policy decisions or tradeoffs that the Council and Board have not yet discussed. In particular, the terms “fair” and “equitable” with regard to access can have specific interpretations, and may be in conflict with one another (for example, as the basis for an allocation decision). The FMAT recommends further discussion. The Council and Board may also wish to revisit this goal statement later in the amendment process to add more specific language.

2.2.4 Goal 4: Stakeholder values

The summer flounder fishery includes commercial, recreational, and for-hire components, which each have different needs and values, and may define access and opportunity in different ways. Stakeholder values were a particular focus of feedback provided as part of the comprehensive amendment scoping process. Respondents emphasized that goals and objectives should provide more of a focus on the social and economic needs of communities and user groups. They also emphasized the commercial industry and recreational communities’ contributions to the rebuilding of summer flounder, and expectations for increased opportunity.

While the comprehensive amendment will explore high priority issues for each sector, there are different perspectives on whether these values should be captured in FMP goals and objectives. Below is the FMAT’s recommendation and discussion of how stakeholder values may be addressed. Sections 2.2.4.1 and 2.2.4.2 include a more detailed overview of commercial and recreational user groups’ values and priorities, along with additional FMAT discussion.

FMAT Recommendation

Goal 4: Balance the needs and priorities of different user groups, and optimize utilization of the summer flounder resource.

FMAT Discussion

The FMAT’s recommendation is a single broad goal statement that recognizes that the summer flounder fishery includes diverse user groups with distinct needs and priorities. The reference to “optimizing utilization” reflects concerns about improving utilization and avoiding waste and discards throughout the fishery. Adopting goals and/or objectives specific to one or more user groups would involve policy decisions, and could also involve tradeoffs. The FMAT recommends further discussion by the Council and Board.

Additional FMAT discussion of specific commercial and recreational values and priorities identified during the interview process is included below. See Appendix 3 for examples of FMP objectives that are specific to commercial and/or recreational user groups.

2.2.4.1 Commercial fishery

Issue Overview

The comprehensive amendment will consider commercial fishery management measures and strategies. Council and Board members identified a wide range of priorities and values for managing a robust and resilient commercial summer flounder fishery. These generally fall into two distinct categories:

- Improve fishery performance: Improve efficiency and flexibility, improve economic yield, reduce waste and impact (e.g., discards, fuel expenses, carbon footprint), support a high quality product, and improve profitability of businesses and participants.
- Recognize participation and investments: Acknowledge historical participation and investment by participants, communities, and businesses; maintain infrastructure.

Some Council and Board members focused more on one set of values and priorities, while others felt that it's important to achieve a balance. These values cross-reference values of fairness, equity, and responsiveness. Other specific issues include addressing latent permits to align capacity with resource availability (or conversely, not addressing latent permits in order to maintain flexibility in participation) and considering spillover effects (how might changes to summer flounder management impact other fisheries?).

FMAT Discussion

Many of the priority issues identified for the commercial summer flounder fishery fall into the categories of improving performance, and recognizing participation and investment. These issues are likely to involve tradeoffs. They could be addressed under management objectives, but would more likely be addressed through management strategies later in the amendment process. Concerns related to fairness, equity, and responsiveness are addressed by Goal 3.

2.2.4.2 Recreational fishery

The comprehensive amendment will also consider recreational fishery management measures and strategies. Council and Board members identified the following priorities, values, and concerns.

- Discards: Recreational regulations shift harvest toward mature females, resulting in regulatory discards and mortality. This causes waste and lost yield, is

contradictory to conservation goals, and results in poor public perception of management.

- Data collection: There is low confidence in the use of MRIP data for monitoring recreational quotas and informing subsequent years' recreational management measures.
- Stability: Recreational regulations may vary from one year to the next, and the timing of implementation makes it challenging for stakeholders and businesses to plan ahead.
- Regional management: Council and Board members hold different views on the use of regional management as a management strategy, and whether it should be institutionalized or remain voluntary.
- Opportunity and angler satisfaction: The recreational fishery is diverse and includes shore-based anglers, private anglers, for-hire businesses, and other supporting businesses. These components of the fishery have different values and may define access and opportunity in different ways.

FMAT Discussion

The biological concerns associated with discards are addressed under Goal 1, and data collection is addressed under Goal 2. The issues of stability and regional management could be addressed as management objectives, but would more likely be addressed through management strategies later in the amendment process. The different perspectives on the meaning of opportunity and angler satisfaction could be captured in Goal 4 as it is worded above.

2.2.5 Other issues and FMAT discussion

2.2.5.1 Responding to new information

The 2015 summer flounder stock assessment update indicates that the stock was experiencing overfishing in 2014. The Council is required to set catch limits that will prevent overfishing. The Council's Scientific and Statistical Committee has recommended a 29% reduction in commercial quotas and recreational harvest limited for summer flounder in 2016 compared to 2015. Some managers expressed frustration and felt that this is too strong of a response for a rebuilt fishery. Some also observed that managers (and user groups) may have different levels of risk tolerance, with regard to the risk of overfishing.

The Council's response to new information is determined by the requirements of the Magnuson-Stevens Act, the guidance provided through the National Standard 1 Guidelines, and the Council's risk policy and ABC control rule. The FMAT concluded that concerns related to the Council's response to new information and risk policy and ABC control rule are outside the scope of what should be addressed through revised FMP goals and objectives.

2.2.5.2 Ecosystem considerations

Managers shared limited feedback on the role the role of summer flounder in the Mid-Atlantic ecosystem, and the importance of specific ecosystem considerations related to habitat and forage. The FMAT did not provide a recommendation related to ecosystem considerations since this was not a focus of the feedback provided. Ecosystem considerations could be addressed through other Council and Commission actions and guidance later in the amendment process. The Council and Board could also choose to recognize ecosystem considerations through FMP goals or objectives.

3.1 Appendix 1: Contributors

The Fisheries Forum requested input from the groups involved in summer flounder management, in order to develop this document and to inform the FMAT's recommendations. Contributors were asked to share ideas and perspectives on the purpose, structure, and content for revised summer flounder FMP goals and objectives.

Fisheries Forum staff conducted informal interviews with 19 individuals. To achieve coverage of regions and perspectives, two sets interviews were conducted as follows.

- State agency representatives: Each state agency represented on the Council and Commission was asked to identify an appropriate point of contact.
- Other individuals: Additional members of the Council's Demersal Committee (noted as "MAFMC" below) and the Commission's Summer Flounder Board (noted as "ASMFC") participated on a voluntary basis.

In addition, the Fisheries Forum provided a short online comment form that was open to all members of the Council's Demersal Committee, the Commission's Summer Flounder Board, and both bodies' Summer Flounder Advisory Panels.

The following individuals contributed to the development of this document.

State agency representatives

- Chris Batsavage, North Carolina Division of Marine Fisheries
- Rob O'Reilly, Joe Cimino, and Rachael Maulorico, Virginia Marine Resources Commission
- Martin Gary, Potomac River Fisheries Commission
- Mike Luisi, Maryland Department of Natural Resources Fisheries Service
- Stewart Michels, Delaware Division of Fish & Wildlife
- Tom Baum, New Jersey Division of Fish & Wildlife
- Steve Heins, New York State Department of Environmental Conservation Bureau of Marine Resources
- David Simpson, Connecticut Department of Energy & Environmental Protection, Bureau of Natural Resources Marine Fisheries Division
- Jason McNamee, Rhode Island Division of Fish & Wildlife
- Nichola Meserve, Massachusetts Division of Marine Fisheries

Voluntary participants

- David Borden, Governor's Appointee (RI), ASMFC
- Tony DiLernia, At-large Appointee (NY), MAFMC

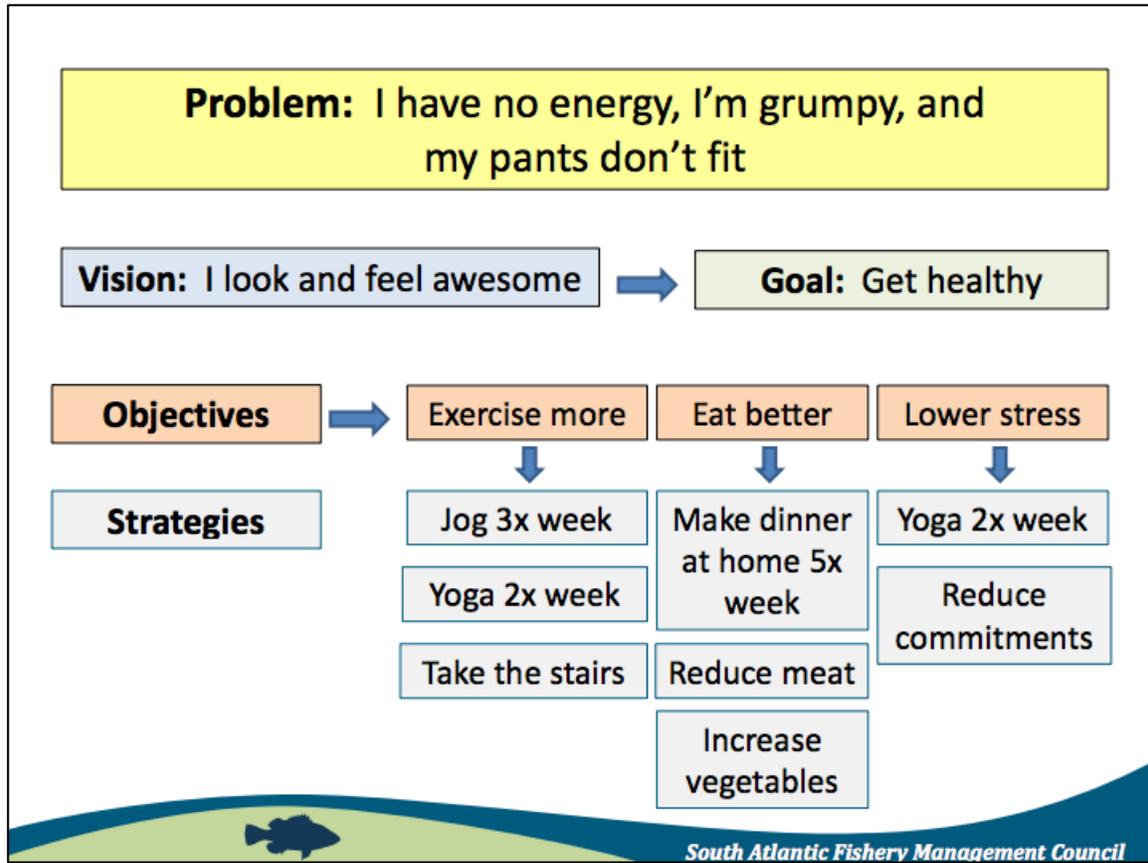
- Emerson Hasbrouck, Governor's Appointee (NY), ASMFC
- Howard King, Obligatory Appointee (MD), MAFMC
- John McMurray, Obligatory Appointee (NY), MAFMC
- Roy Miller, Governor's Appointee (DE), ASMFC
- Adam Nowalsky, Obligatory Appointee (NJ), MAFMC; Legislative Proxy, ASMFC Summer Flounder, Scup, and Black Sea Bass Board
- Rick Robins, At-large Appointee (VA), MAFMC
- David Sikorski, Governor's Appointee Proxy to the Summer Flounder, Scup, and Black Sea Bass Board (MD), ASMFC

Online comment form contributors

- Jeff Kaelin, At-Large Appointee (NJ), MAFMC
- Art Smith, Summer Flounder, Scup, and Black Sea Bass Advisory Panel, ASMFC
- Anonymous

3.2 Appendix 2: Goals, Objectives, and Strategies

This diagram includes examples of goals, objectives, and strategies, and is excerpted from a staff presentation on strategic planning, presented at the South Atlantic Fishery Management Council's March 2013 Council Visioning Workshop.



The full presentation is available online:

http://safmc.net/Library/pdf/2BB_Attach2b_StrategicPlanningPres.pdf

Additional information about the Council's Snapper-Grouper Visioning Process, and resources from past meetings, are available on the council's website.

<http://www.safmc.net/resource-library/council-visioning-project>

3.3 Appendix 3: Mid-Atlantic Fishery Management Council FMP Management Objectives

Summer Flounder, Scup, Black Sea Bass

1. Reduce fishing mortality in the summer flounder, scup, and black sea bass fisheries to assure that overfishing does not occur.
2. Reduce fishing mortality on immature summer flounder, scup, and black seabass to increase spawning stock biomass.
3. Improve the yield from the fishery.
4. Promote compatible management regulations between state and Federal jurisdictions.
5. Promote uniform and effective enforcement of regulations.
6. Minimize regulations to achieve the management objectives stated above.

Bluefish

1. Increase understanding of the stock and of the fishery.
2. Provide the highest availability of bluefish to U.S. fishermen while maintaining, within limits, traditional uses of bluefish.
3. Provide for cooperation among the coastal states, the various regional marine fishery management councils, and federal agencies involved along the coast to enhance the management of bluefish throughout its range.
4. Prevent recruitment overfishing.
5. Reduce the waste in both the commercial and recreational fisheries.

Spiny dogfish

1. Reduce fishing mortality to ensure that overfishing does not occur.
2. Promote compatible management regulations between state and Council jurisdictions and the US and Canada.
3. Promote uniform and effective enforcement of regulations.
4. Minimize regulations while achieving the management objectives stated above.
5. Manage the spiny dogfish fishery so as to minimize the impact of the regulations on the prosecution of other fisheries, to the extent practicable.
6. Contribute to the protection of biodiversity and ecosystem structure and function.

Squid, Mackerel, Butterfish

1. Enhance the probability of successful (i.e., the historical average) recruitment to the fisheries.
2. Promote the growth of the U.S. commercial fishery, including the fishery for export.
3. Provide the greatest degree of freedom and flexibility to all harvesters of these resources consistent with the attainment of the other objectives of this FMP.

4. Provide marine recreational fishing opportunities, recognizing the contribution of recreational fishing to the national economy.
5. Increase understanding of the conditions of the stocks and fisheries.
6. Minimize harvesting conflicts among U.S. commercial, U.S. recreational, and foreign fishermen.

Surfclam and Ocean Quahog

1. Conserve and rebuild Atlantic surfclam and ocean quahog resources by stabilizing annual harvest rates throughout the management unit in a way that minimizes short term economic dislocations.
2. Simplify to the maximum extent the regulatory requirement of surfclam and ocean quahog management to minimize the government and private cost of administering and complying with regulatory, reporting, enforcement, and research requirements of surfclam and ocean quahog management.
3. Provide the opportunity for industry to operate efficiently, consistent with the conservation of surfclam and ocean quahog resources, which will bring harvesting capacity in balance with processing and biological capacity and allow industry participants to achieve economic efficiency including efficient utilization of capital resources by the industry.
4. Provide a management regime and regulatory framework which is flexible and adaptive to unanticipated short term events or circumstances and consistent with overall plan objectives and long term industry planning and investment needs.

Tilefish

The overall goal of this FMP is to rebuild tilefish so that the optimum yield can be obtained from this resource. To meet the overall goal, the following objectives are adopted:

1. Prevent overfishing and rebuild the resource to the biomass that would support MSY.
2. Prevent overcapitalization and limit new entrants.
3. Identify and describe essential tilefish habitat.
4. Collect necessary data to develop, monitor, and assess biological, economic, and social impacts of management measures designed to prevent overfishing and to reduce bycatch in all fisheries.

3.4 Appendix 4: Excerpt from Atlantic States Marine Fisheries Commission Five-Year Strategic Plan, 2014-2018

Goal 3 – Promote compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries

Fisheries managers, law enforcement personnel, and stakeholders have a shared responsibility to promote compliance with fisheries management measures. Activities under the goal seek to increase and improve compliance with fishery management plans. This requires the successful coordination of both management and enforcement activities among state and federal agencies. Commission members recognize that adequate and consistent enforcement of fisheries rules is required to keep pace with increasingly complex management activity and emerging technologies. Achieving the goal will improve the effectiveness of the Commission's fishery management plans.

Strategies to Achieve Goal

- a. Develop practical compliance requirements that foster stakeholder buy-in
- b. Evaluate the enforceability of management measures and the effectiveness of law enforcement programs
- c. Promote coordination and expand existing partnerships with state and federal natural resource law enforcement agencies
- d. Enhance stakeholder awareness of management measures through education and outreach
- e. Use emerging communication platforms to deliver real time information regarding regulations and the outcomes of law enforcement investigations

The full ASMFC 2014-2018 Five-Year Strategic Plan can be accessed online:
http://www.asmfc.org/files/pub/2014-2018StrategicPlan_Final.pdf